

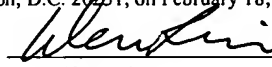


#8

PATENT
Docket No. 1035/203

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "FIRST CLASS MAIL" in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 18, 2003.


Wen Liu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Muto, et al.

Serial No.: 10/056,860

Filing Date: January 23, 2002

Title: FLAT PANEL SPEAKER

Examiner: Not Yet Assigned

Group Art Unit: 2643

RECEIVED

FEB 25 2003

OFFICE OF PETITIONS

**REQUEST FOR RECONSIDERATION OF
PETITION UNDER 37 CFR 1.47(a)****BOX DAC
Commissioner for Patents
Washington, D.C. 20231****Attn:
Charles Steven Brantley
Petitions Attorney
Office of Petitions
Office of Deputy Commissioner for Patent Examination Policy**

Dear Sir:

In response to the Dismissal (dated September 16, 2002) of Applicant's earlier Petition under 37 CFR 1.47(a), Applicant hereby requests reconsideration of the earlier petition and petitions to file the present continuation-in-part patent application without the execution of two of the named inventors. The time for response to which has been extended 3 months to February

18, 2003 (the first business day after February 16, 2003) by the request for extension of time in the accompany transmittal cover sheet.

The circumstances in support of the present request for reconsideration and petition are as follows:

1. The Assignee of the present application, DIGITAL SONICS, LLC, acquired from the inventors the entire right, title and interest, for the territory of the United States of America and throughout the world, including any and all foreign rights and Convention priority rights, in and to the invention disclosed in the U.S. Provisional Patent Application, entitled FLAT PANEL SPEAKER, filed on July 23, 1999, Application No. 60/145,368 ("Invention"), and assignors' obligations to execute any and all domestic and foreign patent applications describing and claiming said invention without further consideration, and in conjunction therewith to execute any and all further assignments or other documents which may be required for filing under the International Convention or for recording in Patent Offices throughout the world.
2. The inventors, including Richard Guy, Keiko Muto, and Mayuki Yanagawa (collectively "Non-Cooperating Inventors"), each executed a written assignment assigning the Invention to Assignee, on September 21, 1999. Enclosed are copies of the conveyances of the Non-Cooperating Inventors. The assignments were recorded at the U.S. Patent and Trademark Office on July 24, 2000, at Reel No. 010989, Frame No. 0295 ("Assignments").
3. Even though they are contractually obligated, the Non-Cooperating Inventors subsequently indicated that they would refuse to cooperate with the Assignee, to

execute formal documents in connection with filing of patent applications. (Please see attached copy of the Declaration by Assignee Regarding Non-Cooperative Inventors, which was attached to the earlier Petition dated July 15, 2002.)

4. Since then, Assignee had no choice but to file and prosecute patent applications without the cooperation of Non-Cooperating Inventors.
5. In connection with the filing of a counterpart PCT application (No. PCT/US00/40475; filed July 24, 2000), which claims the invention disclosed in and claims the priority of said Provisional Application No. 60/145,368, Assignee had to sign a Statement By Assignee Regarding Non-Cooperative Inventors, which was filed with and accepted by the Patent Office in connection with said PCT application.
6. The present patent application is a continuation-in-part of said PCT application, including subject matter originally disclosed and claimed in said PCT application attributed to Non-Cooperating Inventor, and newly disclosed and claimed subject matter not attributed to the Non-Cooperating Inventors.
7. From past dealings, Assignee knew that the Non-Cooperating Inventors would not cooperating to execute the inventor declarations (naming additional inventors for the new subject matter) for the present continuation-in-part application. Therefore, since it is expected to be fruitless to contact the Non-Cooperating Inventors, and further that Assignee did not trust the Non-Cooperating Inventors with respect to the confidentiality of the new subject matter present in the present continuation-in-part application, Assignee instructed the undersigned attorney not to contact the Non-Cooperating Inventors prior to the earlier Petition.

8. Further to the Dismissal of the earlier filed Petition under 37 CFR 1.47(a), the undersigned attorney for the Assignee attempted to contact the Non-Cooperating Inventors by telephone, mail, facsimile and email on several occasions, as indicated in the attached Declaration of Wen Liu In Support Of Request for Reconsideration of Petition Under 37 CFR 1.47(a).
9. Specifically, on October 29, 2002, the attorney mailed to the last known address of the Non-Cooperating Inventors by Certified Mail, attaching a copy of the patent application as filed, including specification, claims and drawings, along with an inventor declaration and instructions setting a deadline of November 16, 2002 for the inventor to complete review of the application and execution of the inventor declaration. The attorney obtained confirmation from the U.S. Postal Service that the Certified Mail had been delivered to the addressee on November 18, 2002. (See Exhibit A attached to the Declaration of Wen Liu concurrently filed herewith.)
10. On December 5, 2002, the undersigned attorney called the Non-Cooperating Inventors at their last known telephone number, left a detailed voice mail message at that number requesting cooperation of the Non-Cooperating Inventors to execute the formal filing papers. On the same day, the undersigned attorney wrote to the Non-Cooperating Inventors by mail to their last known address and by facsimile to their last known facsimile number, requesting status of their review and execution of the formal papers. The undersigned attorney received confirmation of receipt of such facsimile transmission. (See Exhibit B attached to the Declaration of Wen Liu concurrently filed herewith.)

11. On December 12, 2002; December 14, 2002; December 15, 2002 and December 16, 2002; the undersigned attorney attempted to call the Non-Cooperating Inventors at their last known telephone number concerning the status of their review, left several detailed voice mail messages at that number requesting the status of their review and advising them of the extended deadline for responding to the Patent Office, but those calls were not returned by the Non-Cooperating Inventors. In the hope of amicable resolution of the issues with the Non-Cooperating Inventors, and that they will eventually agree to cooperate with the Assignee to review and execute the application papers, Assignee agreed to a further extension to January 16, 2003 (2-month extension) while we wait for the Non-Cooperating Inventors' response.
12. On December 17, 2002, the undersigned attorney sent a letter to the Non-Cooperating Inventors by Certified Mail to their last known address. This letter referred to the earlier letters, advised the Non-Cooperating Inventors of the further extended deadline of January 16, 2003 to respond to the Patent Office. The letter included an expressed statement that "If we do not hear from you by January 13, 2003, we will take your non-response to constitute your refusal to cooperate to execute the declaration." This Certified Mail was returned to the undersigned attorney on January 22, 2003 as being not claimed by addressee. (See Exhibit C attached to the Declaration of Wen Liu concurrently filed herewith.)
13. On December 20, 2003, the undersigned attorney received an email sent by Mayuki Yanagawa ("Yanagawa"), one of the Non-Cooperating Inventors. Yanagawa represented that the Non-Cooperating Inventors were out of the country when the earlier Certified Mail was sent to them and there were nobody at their office to

receive mail (the undersigned has reason to believe that the Non-Cooperating Inventors are operating out of their home office, since their last known address had also been used as home address in other documents), when in fact the first Certified Mail was delivered by November 18, 2002. It was unreasonable for the Non-Cooperating Inventors not to have mail forwarded from their "office" when they were away for over 7 weeks, at least between the period about October 29, 2002 and about December 20, 2002. Yanagawa also requested that Assignee pay his attorney fees for review of the patent application documents.

14. The undersigned attorney responded to Yanagawa's email, reminding him of his obligations set forth in his Assignment of the Invention to the Assignee, which requires the Non-Cooperating Inventors to cooperate with the Assignee to review and execute application papers, and which does not entitle him to further compensation from Assignee. The undersigned attorney also requested Yanagawa to confirm that Ms. Muto (the other Non-Cooperating Inventor) shares his position, or we should work with her separately on this matter.
15. Yanagawa responded, indicating that there is no need to separately contact Ms. Muto, that the Non-Cooperating Inventors have no further obligations to the Assignee, and that they must be paid for their attorney time.
16. The foregoing exchanges of emails are found in Exhibit D attached to the Declaration of Wen Liu filed concurrently herewith.
17. On December 24, 2002, the undersigned attorney emailed the Non-Cooperating Inventors a copy of all the attachments to the earlier October 29, 2002 letter (patent specification including drawings and declaration). This email again specified the

further extended deadline for filing a response to the Patent Office, and included a specific statement that "If I have not received your mail or fax by January 13, 2003, we will take your non-response to constitute your refusal to cooperate to execute the declaration. Further, should you condition your execution on our client reimbursing your attorney fees, we will take that to constitute your decision not to cooperate." On January 7, 2003, Yanagawa responded to such email, and confirmed on January 8, 2003, safe receipt of all attachments. The foregoing exchanges of emails are found in Exhibit E attached to the Declaration of Wen Liu filed concurrently herewith.

18. Between January 13, 2003 and January 16, 2003, there were further exchanges of emails between the undersigned and the Non-Cooperating Inventors as represented by Yanagawa (see Exhibit F attached to the Declaration of Wen Liu file concurrently herewith). The gist of this series of email exchanges is that the Non-Cooperating Inventors asked for attorney fees, under the guise of expediting the review process, despite repeated attempt by the undersigned attorney instructing them of their obligations to personally review the relevant documents. Finally, in an attempt to avoid further expense of attorney fees for Assignee to petition the patent office re non-cooperating inventors, the undersigned went beyond the obligations of the Assignee, and offered to pay a limited attorney fee to the Non-Cooperating Inventors in exchange for a prompt review of the documents so that the response can be filed with the patent office by the extended deadline of January 16, 2003. However, the Non-Cooperating inventor did not accept the offer, instead stating that they would review the documents at their "earliest convenience", instead of their attorney. The

Non-Cooperating Inventors did not respond to the undersigned attorney's inquiry as to the reasonable time of review at their convenience!

19. Given such representation by the Non-Cooperating Inventors, and in the interest of possibly avoiding further attorney fees associated with a petition by the Assignee, Assignee agreed to take a further extension (a 3-month extension) is taken until February 18, 2003 (the first business day after February 16, 2003) in the hope of cooperation from the Non-Cooperating Inventors.
20. Between February 13, 2003 and February 14, 2003, the Non-Cooperating Inventors again requested attorney fees by email. The prior offer to compensate them for their attorney fees was again extended by email, but they did not respond to the offer. The email exchanges during this period are found in Exhibit G attached to the Declaration of Wen Liu concurrently filed herewith. Because the Non-Cooperating Inventors indicated that they are out of the country, and they have not provided any telephone, facsimile or forwarding addresses, the undersigned attorney can only communicate via email with the Non-Cooperating Inventors during this period.
21. Given the foregoing account of the events leading to the present Petition and Request for Reconsideration, as supported by the attached supporting evidence, the undersigned attorney submits that the Non-Cooperating Inventor refused to sign the inventor declaration after having been presented with the application papers (specification , claims, and drawings), by the fact that they conditioned their cooperation on additional obligations on the part of Assignee which they were not entitled to in the first place, and by the fact that they acted unreasonably and exhibited a pattern of delay and disinterest in allocating any time to the application review

process. The Non-Cooperating Inventors have intentionally evaded review of the patent application and execution of the inventor declaration, because they were bitter about the prior relationship with the Assignee. They provided excuses that they were traveling, but never did allocate time to review the present continuation-in-part patent application that contains original subject matter that they have reviewed once before at the time of filing of the parent application. They flip-flopped between their positions of review by their attorney, and review by themselves. Considering that the undersigned attorney forwarded a copy of the application as filed and declaration to the Non-Cooperating Inventors as early as October 29, 2003, and that they did not diligently complete their review by the extended due date of February 18, 2003, that placed an unreasonable burden on the Assignee to keep obtaining extensions of time to accommodate the Non-Cooperating Inventors, especially given that it is unlikely that the Non-Cooperating Inventors would eventually complete their review and execute the declaration even if they had more time, and given the past dealings with the Non-Cooperating Inventors and their present attitude.

22. The Non-Cooperating Inventors have been compensated for their invention through their employ with Assignee.
23. Assignee has paid all patent procurement expenses with regard to the Invention.
24. Assignee considers the Invention to be of great importance to its business.
25. Attached is a copy of the earlier filed Declaration by Assignee Regarding Non-Cooperative Inventors, executed by the President of Assignee, DIGITAL SONICS, LLC, Mr. Kenneth Braskamp, setting forth further facts and circumstances of past

dealings with the Non-Cooperating Inventors and that they have in the past refused to execute relevant patent application papers on their assigned invention.

26. The last known addresses, telephone numbers, facsimile numbers and emails of the Non-Cooperating Inventors, i.e., the non-signing joint inventors, are the same, as follows:

Keiko Muto
11059 McCormick Street #4
North Hollywood, CA 91601

Tel: (818) 509-3991

Fax: (818) 509-6761

Email: Arte-Bella@msn.com

Mayuki Yanagawa
11059 McCormick Street #4
North Hollywood, CA 91601

Tel: (818) 509-3991

Fax: (818) 509-6761

Email: Arte-Bella@msn.com

27. Attached is a Substitute Declaration executed by the only available joint inventor, Michael Petroff.
28. The Petition Fee under 37 CFR 1.17(h) was paid by check for the previous but Dismissed Petition filed on July 15, 2002. If such fee is required to be paid again for the present request and petition, the Commissioner is hereby authorized to charge such petition fee and any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 501288**.
29. In view of the particular circumstance presented above, Assignee respectfully petitions the Patent Office to file the present application continuation-in-part application without execution of the two original Non-Cooperating Inventors. **In the interest of forwarding this application to early examination, the undersigned attorney respectfully request the courtesy of a telephone call from the Office of**

Petitions, if there are any issues not adequately addressed by this request for reconsideration.

Respectfully submitted,

Dated: February 18, 2003

By:



Wen Liu
Registration No. (32,822)

Liu & Liu LLP
811 West Seventh Street; Suite 1100
Los Angeles, California 90017
Telephone: (213) 830-5743
Facsimile: (213) 830- 5741



PATENT
Docket No. 1035/203

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this paper or fee is being deposited with the United States Postal Service as "FIRST CLASS MAIL" in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 18, 2003.


Wen Liu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Muto, et al.

Serial No.: 10/056,860

Filing Date: January 23, 2002

Title: FLAT PANEL SPEAKER

Examiner: Not Yet Assigned

Group Art Unit: 2643

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FEB 25 2003

OFFICE OF PETITIONS

**DECLARATION BY WEN LIU
IN SUPPORT OF REQUEST FOR RECONSIDERATION
OF PETITION UNDER 37 CFR 1.47(a)**

WHEREAS, I, Wen Liu, a member of the State Bar of California, and a member of the U.S. Patent Bar, declare the following:

1. I reviewed the Request for Reconsideration of Petition Under 37 CFR 1.47(a) that is being concurrently filed herewith, and hereby make the declarations in support of such Petition.
2. Further to the Dismissal of the earlier filed Petition under 37 CFR 1.47(a) dated September 16, 2002, I attempted to contact Mayuki Yanagawa and Keiko Muto (the "Non-Cooperating Inventors") by telephone, mail, facsimile and email on several occasions.

3. Specifically, on October 29, 2002, I mailed to the last known address (11059 McCormick Street #4, North Hollywood, California 91601) of the Non-Cooperating Inventors by Certified Mail, attaching a copy of the patent application as filed, including specification, claims and drawings, along with an inventor declaration and instructions setting a deadline of November 16, 2002 for the inventor to complete review of the application and execution of the inventor declaration. I obtained confirmation from the U.S. Postal Service that the Certified Mail had been delivered to the addressee on November 18, 2002. (Attached Exhibit A)
4. According to my files, on December 5, 2002, I called the Non-Cooperating Inventors at their last know telephone number (818-509-3991), left a detailed voice mail message at that number requesting cooperation of the Non-Cooperating Inventors to execute the formal filing papers. On the same day, I wrote to the Non-Cooperating Inventors by mail to their last known address and by facsimile to their last known facsimile number (818-509-6761), requesting status of their review and execution of the formal papers. I received confirmation of receipt of such facsimile transmission. (Attached Exhibit B)
5. According to my files, on December 12, 2002; December 14, 2002; December 15, 2002 and December 16, 2002; I attempted to call the Non-Cooperating Inventors at their last known telephone number concerning the status of their review, left several detailed voice mail messages at that number requesting the status of their review and advising them of the extended deadline for responding to the Patent Office, but those calls were not returned by the Non-Cooperating Inventors.

6. On December 17, 2002, I sent a letter to the Non-Cooperating Inventors by Certified Mail to their last known address. This letter referred to the earlier letters, advised the Non-Cooperating Inventors of the further extended deadline of January 16, 2003 to respond to the Patent Office. The letter included an expressed statement that "If we do not hear from you by January 13, 2003, we will take your non-response to constitute your refusal to cooperate to execute the declaration." This Certified Mail was returned to my office on January 22, 2003 as being not claimed by addressee.
(Attached Exhibit C)
7. On December 20, 2003, I received an email sent by Mayuki Yanagawa ("Yanagawa"), one of the Non-Cooperating Inventors. Yanagawa represented that the Non-Cooperating Inventors were out of the country when the earlier Certified Mail was sent to them and there were nobody at their office to receive mail
8. I have reason to believe that the Non-Cooperating Inventors are operating out of their home office, since their last known address was also used as home address in other documents.
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10. Yanagawa responded, indicating that there is no need to separately contact Ms. Muto, that the Non-Cooperating Inventors have no further obligations to the Assignee, and that they must be paid for their attorney time.
11. The foregoing exchanges of emails are found in attached Exhibit D.
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13. Between January 13, 2003 and January 16, 2003, there were further exchanges of emails between the undersigned and the Non-Cooperating Inventors as represented by Yanagawa. (Attached Exhibit F).
14. Between February 13, 2003 and February 14, 2003, the Non-Cooperating Inventors again requested attorney fees by email. The prior offer to compensate them for their attorney fees was again extended by email, but they did not respond to the offer. The email exchanges during this period are found in attached Exhibit G. Because the Non-Cooperating Inventors indicated that they are out of the country, and they have

not provided any telephone, facsimile or forwarding addresses, I can only communicate via email with the Non-Cooperating Inventors during this period.

15. All the Exhibits attached herewith are true copies of the originals.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Executed on this 18th day of February, 2003 at Los Angeles, California.



Wen Liu
Registration No. (32,822)

Liu & Liu LLP
811 West Seventh Street; Suite 1100
Los Angeles, California 90017
Telephone: (213) 830-5743
Facsimile: (213) 830-5741



LIU & LIU
ATTORNEYS AT LAW

EXHIBIT A

FINE ARTS BUILDING, SUITE 1100
811 WEST SEVENTH STREET,
LOS ANGELES, CALIFORNIA 90017
TEL: (213) 830-5740
FAX: (213) 830-5741
www.liulaw.com

October 29, 2002

Writer's Direct Contact
(213) 830-5743
wliu@liulaw.com

VIA CERTIFIED MAIL

Keiko Muto
Mayuki Yanagawa
11059 McCormick Street, #4
North Hollywood, CA 91601

Re: U.S. Patent Application
Title: **FLAT PANEL SPEAKER**
Serial No.: 10/056,860
Our Ref. No.: 1035/203

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FEB 25 2003

OFFICE OF PETITIONS

Dear Mr. Muto and Ms. Yanagawa:

We are the patent attorneys for Digital Sonics in connection with the above-referenced patent application. The subject application is a continuation-in-part application that covers the original subject matter invented by you, and certain improvements created by another inventor. At the time of filing, we did not have time to have the inventors execute the formal papers required for the filing. We are now required by the Patent Office to file the inventor declarations.

Pursuant to your assignment to Digital Sonics, you agreed to execute any and all domestic and foreign patent applications describing and claiming your assigned invention without further consideration. Since the subject patent application describes and claims your assigned invention in addition to certain improvement made by another, we are presenting the subject application for your execution.

Enclosed are:

- (a) patent specification (including claims) as filed;
- (b) drawings as filed; and
- (c) combined declaration and power of attorney form.

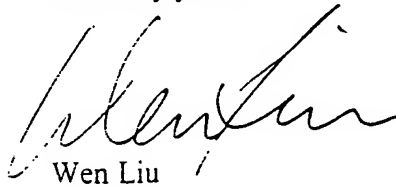
LIU & LIU
ATTORNEYS AT LAW

Keiko Muto
Mayuki Yanagawa
October 29, 2002
Page 2

Please execute and return the declaration after you have reviewed the patent specification and drawings at your earliest convenience, on or before **November 16, 2002**. Please do not hesitate to contact me by fax or email if you have any questions or concerns on any of the enclosures.

We appreciate your assistance and cooperation in this matter.

Sincerely yours,



Wen Liu

Enclosures

cc: Kenneth Braskamp

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| U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided) | |
|---|---------|
| OFFICIAL USE | |
| Postage | \$ 1.98 |
| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 6.03 |
| Sent To Keiko Muto & Mayuki Yanagawa | |
| Street, Apt. No., or PO Box No. 11059 McCormick Street, #4 | |
| City, State, ZIP+4 (11/35/203) North Hollywood, CA 91601 | |

7001 2510 0001 3401 9873

PS Form 3800 January 2001 See Reverse for Instructions

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FEB 25 2003

Track & Confirm

Delivery Status

You entered 7001 2510 0001 3401 9873

Your item was delivered at 3:05 pm on November 18, 2002 in NORTH HOLLYWOOD, CA 91601.

[Shipment History >](#)

Track & Confirm

Enter label number:

[Track & Confirm FAQs](#)

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TEL: (213) 830-5740
FAX: (213) 830-5741
www.liulaw.com

EXHIBIT B

RECEIVED
FEB 25 2003
OFFICE OF PETITIONS

To: Keiko Muto

From: Julie Nguyen

Mayuki Yanagawa

Fax: (818) 509-6761

Pages: 2

Phone: (818) 509-3991

Date: 12/5/02 3:19 PM

Re: Digital Sonics: U.S. Patent Application

CC:

Title: FLAT PANEL SPEAKER

Our Ref. No.: 1035/203

☒ **Urgent** ☒ **For Review** ☐ **Please Comment** ☒ **Please Reply** ☐ **Please Recycle**

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● **Comments:**

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ATTORNEYS AT LAW

FINE ARTS BUILDING, SUITE 1100
811 WEST SEVENTH STREET,
LOS ANGELES, CALIFORNIA 90017
TEL: (213) 830-5740
FAX: (213) 830-5741
www.liulaw.com

RECEIVED
FEB 25 2003
OFFICE OF PETITIONS

December 5, 2002

Writer's Direct Contact
(213) 830-5743
wliu@liulaw.com

VIA FACSIMILE & U.S. MAIL

Keiko Muto
Mayuki Yanagawa
11059 McCormick Street, #4
North Hollywood, CA 91601

Re: U.S. Patent Application
Title: **FLAT PANEL SPEAKER**
Serial No.: 10/056,860
Our Ref. No.: 1035/203

Dear Mr. Muto and Ms. Yanagawa:

Further to our letter dated October 29, 2002, we have received confirmation from the U.S. Postal Service that you have acknowledged receipt.

We would appreciate it if you would let us know as to when we may expect a response to our letter. If you prefer that we contact your lawyer regarding this matter, please provide us with the name and phone number of your lawyer so we may contact them directly.

We look forward to your early reply.

Sincerely yours,


Wen Liu

cc: Kenneth Braskamp

12/12
left VM w/ Muto Yanagawa
12/12
Fax OK
12/14, 15
12/16
no receipt
call & fax attn
call & fax attn

MESSAGE CONFIRMATION

DEC-05-2002 04:28PM THU

FAX NUMBER: 213-830-5741

NAME : LIU & LIU

NAME/NUMBER : 18185096761
PAGE : 002
START TIME : DEC-05-2002 04:27PM THU
ELAPSED TIME : 00' 46"
MODE : G3 STD ECM
RESULTS : [O.K]

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FEB 25 2003
OFFICE OF PETITIONS

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ATTORNEYS AT LAW

FINE ARTS BUILDING, SUITE 1100
811 WEST SEVENTH STREET,
LOS ANGELES, CALIFORNIA 90017
TEL: (213) 830-5740
FAX: (213) 830-5741
www.liu.liu.com

To: Keiko Muto
Mayuid Yanagawa
From: Julie Nguyen
Fax: (818) 509-6781
Pages: 2
Phone: (818) 509-3891
Date: 12/5/02 3:19 PM
Re: Digital Sonics: U.S. Patent Application
Title: FLAT PANEL SPEAKER
Our Ref. No.: 1035/203

☒ Urgent ☒ For Review ☐ Please Comment ☒ Please Reply ☐ Please Recycle

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• Comments:



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EXHIBIT C

RECEIVED
FEB 25 2003

OFFICE OF PETITIONS

December 17, 2002

Writer's Direct Contact
(213) 830-5743
wliu@liulaw.com

VIA CERTIFIED MAIL (70012510000134019828)

Keiko Muto
Mayuki Yanagawa
11059 McCormick Street, #4
North Hollywood, CA 91601

Re: U.S. Patent Application
Title: **FLAT PANEL SPEAKER**
Serial No.: 10/056,860
Our Ref. No.: 1035/203

Dear Mr. Muto and Ms. Yanagawa:

Further to our letters dated October 29, 2002 and December 5, 2002, and numerous voice messages left on your answering machine, we have not yet received your response. The revised extended deadline to file the formal document (Declaration and Power of Attorney For Utility Application) that we sent to you on October 29, 2002, is January 16, 2003. Please respond to our letter immediately. If we do not hear from you by January 13, 2003, we will take your non-response to constitute your refusal to cooperate to execute the declaration. My client would have no alternative but to petition the U.S. Patent Office to accept the application without your signatures.

I look forward to your response by January 13, 2003.

Sincerely yours,


Wen Liu

LIU & LIU
ATTORNEYS AT LAW

Keiko Muto
Mayuki Yanagawa
December 17, 2002
Page 2

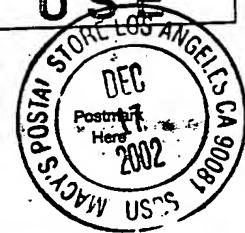
cc: Kenneth Braskamp

7001 2510 0001 3401 9828

U.S. Postal Service
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| Certified Fee | 2.30 |
| Return Receipt Fee (Endorsement Required) | 1.75 |
| Restricted Delivery Fee (Endorsement Required) | |
| Total Postage & Fees | \$ 4.42 |



Sent To
Keiko Muto & Mayuki Yanagawa
 Street, Apt. No.,
 or PO Box No. **11059 McCormick St. #4**
 City, State, ZIP+4
North Hollywood, CA 91601 (1075/203)

PS Form 3800, January 2001 See Reverse for Instructions

RECEIVED

FEB 25 2003

OFFICE OF PETITIONS



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Wen Liu

From: Arte Bella Inc. [Arte-Bella@msn.com]
Sent: Friday, December 20, 2002 10:25 PM
To: wliu@liulaw.com
Subject: Re: Digital Sonics Flat Panel Speaker Patent

Dear Mr. Liu,

1. Ms. Keiko: No need for you to separate.
2. Attorney's fee: Our full obligation has completed. I do not want to argue about interpretation of our "assistance".

If you agree to pay our attorney's fee and our attorney confirms that there is NO further damage to us, we are willing to sign.

Digital Sonics has damaged us too much!

Regards,

M. Yanagawa

----- Original Message -----

From: "Wen Liu" <wliu@liulaw.com>
To: "Arte Bella Inc." <Arte-Bella@msn.com>
Sent: Friday, December 20, 2002 9:20 PM
Subject: RE: Digital Sonics Flat Panel Speaker Patent

> Dear Mr. Yanagawa,

>

> Thank you for your email.

>

> I do not have the file with me at this time, but I recall the assignment you
> executed in connection with the invention and patent application obligates
> you to assist Digital Sonics with the patent application filing documents
> without further compensation. I can certainly confirm this when I return to
> the office on Monday. I will also check with my client as to whether there
> is a different arrangement made with you which I am not aware of.

>

> Please note that concerning the inventor declaration to be executed for the

> patent application, it must be signed by you after you have reviewed the

> patent application as filed. Your attorney cannot sign the document on your

> behalf, even if Digital Sonics is willing to reimburse your attorney fees.

> In view of time constraints, if you could provide a mailing address or fax

> number, I can courier/fax the documents to where you are in the next week.

>

> Please confirm that Ms. Muto shares your position, or we should work with

> her separately on this matter.

>

> I appreciate your cooperation in this matter.

>

> Happy Holidays!

>

> Regards,

>

> Wen Liu

>

> Liu & Liu

> Attorneys at Law

> 811 West Seventh Street, Suite 1100

> Los Angeles, California 90017

> Tel: (213) 830-5743

> Fax: (213) 830-5741

> E-mail: wliu@liulaw.com

> www.liulaw.com

>

> =====

> This message contains information that may be privileged and confidential.

> If you are not the intended addressee (or otherwise authorized to receive

> this message by the addressee), please do not disseminate, use, copy, or

> otherwise disclose the information contained herein to any third party. If

> you receive this message by error, please notify me by reply e-mail to
> wliu@liulaw.com and delete the message. Thank you very much for your
> cooperation.

> =====

>

>

>

> -----Original Message-----

> From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]

> Sent: Friday, December 20, 2002 8:21 PM

> To: wliu@liulaw.com

> Subject: Digital Sonics Flat Panel Speaker Patent

>

>

> Dear Mr. Liu,

>

> It seems that you have tried to contact us many times.

> Unfortunately, we are out of country and will not come back to USA for a

> while.

> Therefore, we have not read your certified(?) letter yet.

> (I have noticed that you tried to send the mail to us a few days before

> departure. Unfortunately, the letter did not reach us by the

> time we left USA although I instructed the post office to re-deliver the

> mail at our office ASAP. There is no one who can open and

> read the mail as our office is so small and no staff to do that.)

>

> Guessing from the message you left at the answering machine, you seem to

> want to get our signature on some documents by mid.

> January.

>

> If my guess is correct, we have to ask my attorney to check the contents.

>

> Since we understand that our relationship with Digital Sonics is completely

> over and there is no obligation each other, I do not
> want to spend any money on this subject.
>
> As a courtesy, I can ask my attorney to check such documents, on the
> CONDITION that you will bear our attorney fee on this subject.
>
> If our attorney says that there is no deviation from the settlement
> agreement with Digital Sonics made in the past, our attorney may
> sign the documents on behalf of us, as we may not return to USA until mid.
> January.
>
> Best regards,
> M. Yanagawa
> *****
> Arte Bella Inc.
> 11059 McCormick St. #4
> North Hollywood, CA 91601 USA
> Ph: 818-509-3991
> Fax: 818-509-6761
> *****
>
>
>
>
>
>

Wen Liu

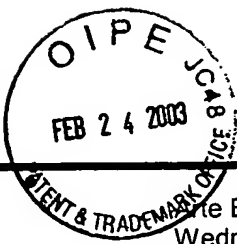


EXHIBIT E

From: Arte Bella Inc. [Arte-Bella@msn.com]
Sent: Wednesday, January 08, 2003 6:17 PM
To: wliu@liulaw.com
Subject: Re: Digital Sonics Patent Application Serial No. 10/056,860

Dear Sirs,

Is the content of the "exe" files and "efx" files same as those attached to your previous E-mail?

If same, I will not use "exe" files and "efx" files as I can open all of your "jpg" files.

Please confirm.

Best regards,

M. Yanagawa

----- Original Message -----

From: "Wen Liu". <wliu@liulaw.com>

To: "Arte Bella Inc." <Arte-Bella@msn.com>

Sent: Tuesday, January 07, 2003 9:57 PM

Subject: RE: Digital Sonics Patent Application Serial No. 10/056,860

> Dear Yanagawa-san,

>

> Thank you for your response.

>

> The patent drawings were scanned into efax format. The *.efx file require
> that you have pre-installed a efax reader before you can open it. The *.exe
> file is a self contained file that includes a efax reader. It is safe for
> you to open the .exe file. I used Norton AntiVirus to scan it before it was
> attached.

>

> I am resending the drawings in separate JPEG files, which you can open with
> Quicktime picture viewer or player.

>

> If you are still having difficulties opening these files, I can fax them to
> you if you provide a fax number, or I can courier the drawings to you when I
> return to the office tomorrow if you provide your current mailing address
> when you are away from your office.

>

> Regards,

>

> Wen Liu

>

> Liu & Liu

> Attorneys at Law

> 811 West Seventh Street, Suite 1100

> Los Angeles, California 90017

> Tel: (213) 830-5743

> Fax: (213) 830-5741
> E-mail: wliu@liulaw.com
> www.liulaw.com

> =====
> This message contains information that may be privileged and confidential.
> If you are not the intended addressee (or otherwise authorized to receive
> this message by the addressee), please do not disseminate, use, copy, or
> otherwise disclose the information contained herein to any third party. If
> you receive this message by error, please notify me by reply e-mail to
> wliu@liulaw.com and delete the message. Thank you very much for your
> cooperation.

> =====
>
>
> -----Original Message-----

> From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]
> Sent: Tuesday, January 07, 2003 7:53 PM
> To: wliu@liulaw.com
> Subject: Re: Digital Sonics Patent Application Serial No. 10/056,860

>
>
> Dear Sirs,

>
> Please re-send the following documents in "PDF" format.

>
> 1. Unreadable document:

> I cannot read your file, "DS Patent Drawings.efx".

>
> 2. Questionable document:

> I do not want to open "DS Patent Drawings.exe" because this is "exe" file.

>
> Why is this document, "exe"?

>
> Regards,

> M. Yanagawa

> ----- Original Message -----

> From: "Wen Liu" <wliu@liulaw.com>
> To: "Mayuki Yanagawa" <Arte-Bella@msn.com>
> Sent: Tuesday, December 24, 2002 4:51 PM
> Subject: Digital Sonics Patent Application Serial No. 10/056,860

>
>
> > Dear Mr. Mayuki and Ms. Muto:

> >
> > Further to my several letters and voice mails to you, we appreciate your

> > getting in touch with me by email last week. In view that you are away
> > from

> > your office and overseas, but you are reachable by emails, I am attaching
> > electronic copies of the following files:

> >
> > (a) U.S. patent application serial no. 10/056,860 (including claims) as

> > filed;

> > (b) drawings as filed; and

> > (c) combined declaration and power of attorney form.

> >

> > As we mentioned in our letter to your earlier, the subject patent

> > application is a continuation-in-part application that covers the original

> > subject matter invented by you, and certain improvements created by

> > another

> > inventor. At the time of filing, we did not have time to have the

> > inventors

> > execute the formal papers required for the filing. We are now required by

> > the Patent Office to file the inventor declarations.

> >

> > I also attached a copy of the assignment executed by Mr. Mayuki (I did not

> > attach the copy executed by Ms. Muto, which is similar in the terms).

> > Pursuant to your assignment to Digital Sonics, you agreed upon

> > presentation

> > to execute any and all domestic and foreign patent applications describing

> > and claiming your assigned invention without further consideration, we are

> > again presenting the application for your execution. Since this

> > application

> > includes additional subject matter directed to improvements contributed by

> > another inventor, the declaration would be jointly executed by both of you

> > and the third inventor.

> >

> > From our earlier email exchanges, I understand that your departure from

> > Digital Sonics was not on pleasant terms. However, notwithstanding your

> > perspective of the past and current relationship with Digital Sonics, you

> > are still obligated under the terms provided in the assignment to executed

> > the application. Please understand that Digital Sonics had already went

> > through additional legal expenses in view of your reluctance to executing

> > the patent application. You requested Digital Sonics to reimburse your

> > attorney fees in connection with the review and execution of the

> > application. While you are entitled to consult with your counsel, however

> > if you choose to do so for your convenience, Digital Sonics is not

> > obligated

> > to reimburse you for your legal expenses.

> >

> > Accordingly, I again request your cooperation in reviewing the application

> > (including the specification, drawings and claims), and review and execute

> > the declaration. You can fax the executed declaration to my office at

> > fax

> > no. (213) 830-5741, followed by mailing the original declaration to my

> > office. I agree to reimburse you for the reasonable and actual postage

> > and/or fax charges. Alternatively, if you prefer to return the document

> > by

> > courier, I agree to reimburse you for reasonable, customary and actual

> > handling charges billed by the courier.

> >

> > The revised extended deadline to file the formal document (Declaration and

> > Power of Attorney For Utility Application) is January 16, 2003. Please

> > therefore respond with your executed document no later than January 13,

> 2003
>> (by fax or mail). If I have not received your mail or fax by January 13,
>> 2003, we will take your non-response to constitute your refusal to
> cooperate
>> to execute the declaration. Further, should you condition your execution
> on
>> our client reimbursing your attorney fees, we will take that to constitute
>> your decision not to cooperate. My client would have no alternative but
> to
>> petition the U.S. Patent Office to accept the application without your
>> signatures.
>>
>> I hope you will reconsider and cooperate with Digital Sonics on this
>> matter. I look forward to your prompt response by January 13, 2003.
>>
>> Please do not hesitate to contact me by email or otherwise should you have
>> any questions or concerns.
>>
>> Regards and Happy Holidays,
>>
>> Wen Liu
>>
>> LIU & LIU
>> Attorneys at Law
>> The Fine Arts Building; Suite 1100
>> 811 West Seventh Street
>> Los Angeles, CA 90017
>> Tel: (213) 830-5743
>> Fax: (213) 830-5741
>> email: wliu@liulaw.com
>> www.liulaw.com
>>
>>

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>> for the addressee), you may not copy, use, disclose to anyone any
>> information in this message. If you have received this message by error,
>> please notify me by reply e-mail wliu@liulaw.com and delete this message.
>> Thank you very much.

>> =====
>>
>>
>
>



EXHIBIT F

Wen Liu

From: Wen Liu [wliu@liulaw.com]
Sent: Thursday, January 16, 2003 7:24 PM
To: Arte Bella Inc.
Subject: RE: AN OPTION - Digital Sonic Patent Application No. 10/056,860

Dear Mr. Yanagawa,

1. I was not trying to negotiate the fee. I was merely providing you with a reasonable working budget for attorney's fees, given that a reasonably experienced attorney charges about \$300 an hour. In fact I wanted to avoid bargaining, so I changed the original offer of \$200 (in lieu of extension fee), to \$300 for attorney's fee.

2. My earlier proposed alternatives were the result of time constraints. As I indicated before, if the documents are not signed by this evening, my proposal would not be relevant. This option may not work for you, but I thought at least I should present the option to you. I would not comment on whether my proposal was reasonable. That was a quick proposal under time constraint, so under the circumstance

Let's see if your attorney can feasibly act on this matter by this evening.

Concerning your suggestion to review the documents at your convenience without the need to consult your attorney, would another 2 to 3 weeks be reasonable time for you? Afterall, if I request a further one-month extension, I should have a reasonable basis that you will be able to timely complete your review, given your other priorities.

Regards,

Wen Liu

LIU & LIU
Attorneys at Law
The Fine Arts Building; Suite 1100
811 West Seventh Street
Los Angeles, CA 90017
Tel: (213) 830-5743
Fax: (213) 830-5741
email: wliu@liulaw.com
www.liulaw.com

=====
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If you are not the intended addressee (or authorized to receive this message
for the addressee), you may not copy, use, disclose to anyone any
information in this message. If you have received this message by error,
please notify me by reply e-mail wliu@liulaw.com and delete this message.
Thank you very much.
=====

-----Original Message-----

From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]

Sent: Thursday, January 16, 2003 6:20 PM

To: wliu@liulaw.com

Subject: Re: AN OPTION - Digital Sonic Patent Application No. 10/056,860

Dear Mr. Liu,

First of all, I would like to state to you that;

1. I do not like your attitude of the "bargain hunting game". Please do not try to negotiate the fee.
2. Your request at 5:00pm asking us to complete at 9:00pm today sounds very unreasonable.

I will try to convey your proposal to my attorney today. But, I cannot guarantee that we can comply this within today.

My personal suggestion at this point is for me to review the documents at my earliest convenience, not by my attorney.

(I am not forcing you to bear the attorney's fee. I have simply suggested use of the attorney for my speedy process, not as your obligation.)

Regards,
M. Yanagawa

----- Original Message -----

From: "Wen Liu" <wliu@liulaw.com>

To: "Arte Bella Inc." <Arte-Bella@msn.com>

Sent: Thursday, January 16, 2003 5:12 PM

Subject: RE: AN OPTION - Digital Sonic Patent Application No. 10/056,860

> Dear Yanagawa-san,

>

> Under the circumstance, I would take the liberty to agree on behalf of

> Digital Sonics to reimburse you, based on the

> following conditions:

>

> 1. Digital Sonics will reimburse you for up to \$300 in attorneys fees,

> despite the fact that Digital Sonics does not have an obligation per your

> earlier assignment. You cannot expect that Digital Sonics will reimburse

> your legal fees in the future.

>

> AND

>

> 2. You will review the patent application and declaration, and fax to my

> office the duly executed declaration bearing the signatures of you and

> Muto-san, by 9pm this evening; followed by the original copy by mail to our

> office. To facilitate your review, I can send you a redlined copy showing

> the comparison of the current CIP application and your original disclosure

> in the parent application.

> .

> Please keep in mind that the patent rules require that you and Muto-san, as
> inventors, personally review the patent application before both of you can
> sign the declaration. Your attorney can only review the application for
> purpose of advising you of your legal rights (hence I believe it would not
> be more than one-hour of his/her time), but not to review and sign the
> declaration on your behalf. You and Muto-san must still review the
> technical disclosure in the patent application.

>

> Let me know if this works for you. If Digital Sonics have to request a
> further extension, there would be no further incentive to reimburse you for
> your attorney fees. And frankly, if we need to request a further extension,
> I would recommend to Digital Sonics to instruct me to proceed with the
> petition, because you indicated that you will not sign the declaration
> unless you consult with your attorney at Digital Sonics' expense. We really
> have no other options but to petition the patent office accept the
> application without your signature.

>

> I hope you will reconsider and agree with the proposal above.

>

> Regards,

>

> Wen Liu

>

> LIU & LIU

> Attorneys at Law

> The Fine Arts Building; Suite 1100

> 811 West Seventh Street

> Los Angeles, CA 90017

> Tel: (213) 830-5743

> Fax: (213) 830-5741

> email: wliu@liulaw.com

> www.liulaw.com

>

>

> =====

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> If you are not the intended addressee (or authorized to receive this message
> for the addressee), you may not copy, use, disclose to anyone any
> information in this message. If you have received this message by error,
> please notify me by reply e-mail wliu@liulaw.com and delete this message.
> Thank you very much.

> =====

>

>

> -----Original Message-----

> From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]

> Sent: Thursday, January 16, 2003 4:35 PM

> To: wliu@liulaw.com

> Subject: Re: AN OPTION - Digital Sonic Patent Application No. 10/056,860

>

>
> Dear Mr. Liu,
>
> I do not know how long my attorney would take to review. (I have totally no
> idea how long this work would take.)
> If you would like to speak to my attorney, you can contact.
>
> But, under any circumstances, Digital Sonics have to agree that they will
> bear the attorney's fee if they so wish.
> If you think this job would be made in one hour, why don't you agree that
> Digital Sonics would bear the attorney's fee?
>
> Please advise. If yes, I will advise you of the name of my attorney.
>
> Best regards,
> M. Yanagawa
> ----- Original Message -----
> From: "Wen Liu" <wliu@liulaw.com>
> To: "Arte Bella Inc." <Arte-Bella@msn.com>
> Sent: Thursday, January 16, 2003 3:41 PM
> Subject: RE: AN OPTION - Digital Sonic Patent Application No. 10/056,860
>
>

> > Dear Yanagawa-san,
> >
> > Who is your attorney? Frankly, it may not take him more than an hour to
> > review the papers. Depending on his billing rate, we may be able to
> > accommodate his time for \$200.
> >

> > Regards,
> >
> > Wen
> >
> >
> > LIU & LIU
> > Attorneys at Law
> > The Fine Arts Building; Suite 1100
> > 811 West Seventh Street
> > Los Angeles, CA 90017
> > Tel: (213) 830-5743
> > Fax: (213) 830-5741
> > email: wliu@liulaw.com
> > www.liulaw.com
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> > information in this message. If you have received this message by error,
> > please notify me by reply e-mail wliu@liulaw.com and delete this message.

> > Thank you very much.

> > =====

> >

> >

> > -----Original Message-----

> > From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]

> > Sent: Thursday, January 16, 2003 3:42 PM

> > To: wliu@liulaw.com

> > Subject: Re: AN OPTION - Digital Sonic Patent Application No. 10/056,860

> >

> >

> > Dear Mr. Liu,

> >

> > I appreciate your attitude. But, this \$200 is not an issue to me.

> > I simply would like to handle this subject RIGHT and need time to review

> > this.

> >

> > I cannot sign any documents without understanding what it is.

> >

> > (The only way to accelerate is for Digital Sonics to accept to use my

> > attorney, at Digital Sonics account.)

> >

> > Best regards,

> > M. Yanagawa

> >

> > PS: Please note that I am busy in preparing the next overseas trip from

> > this

> > coming Sunday. This time, I will be back by end of this

> > month.

> >

> > ----- Original Message -----

> > From: "Wen Liu" <wliu@liulaw.com>

> > To: "Arte Bella Inc." <Arte-Bella@msn.com>

> > Sent: Thursday, January 16, 2003 2:48 PM

> > Subject: AN OPTION - Digital Sonic Patent Application No. 10/056,860

> >

> >

> > > Dear Yanagawa-san,

> > >

> > > Thank you for your email, and time to discuss the issues with me by

> > > phone

> > > a

> > > few minutes ago.

> > >

> > > I understand you have other priorities. But I ask that you reconsider

> > > reprioritizing your time to review the application. The documents I

> > > sent

> > > you are quite straight forward. The patent application is a

> > > continuation-in-part application (CIP), which disclosure includes the

> > > subject matter of the original disclosure of your earlier patent

> > > application, and new subject matter/improvements made by another

> > > inventor.

> > > By signing the declaration, you and Muto-san are declaring that both of
> > you
> > > are joint-inventors, meaning each of you is at least one inventor on at
> > > least one of the claims in the patent application. You are not
> declaring
> > > that you are also the inventors on all the claims. You should give your
> > > patent lawyer a quick call to confirm this.
> > >
> > > Digital Sonics is not willing to pay for your attorney fees, and your
> time
> > > to review the documents. They would rather pay me to petition the
> patent
> > > office to accept the application without your signature. I have enough
> to
> > > do, so I would rather not have to do the petition, especially under the
> > > circumstance which is rather straight forward.
> > >
> > > Let's see if my proposal below works for you.
> > >
> > > Today is the two-month extended deadline. If I were to do the petition
> > this
> > > afternoon, that would cost Digital Sonics my fees. If we were to apply
> > for
> > > another month extension to wait for several weeks for your signature, it
> > > would cost Digital Sonics about \$200 more in extension fees. Even
> though
> > I
> > > believe we have sufficient basis to proceed with the petition today, I
> > want
> > > to recommend to Digital Sonics that we give you the benefit of the
> doubt,
> > to
> > > wait another several weeks for your execution of the declaration, even
> > > though it would cost Digital Sonics \$200 in extension fee, but with the
> > hope
> > > that you will sign the declaration and I would not have to do a
> petition.
> > >
> > > What I am proposing is that instead of letting the Patent Office make
> \$200
> > > in additional extension fees, why don't I recommend to Digital Sonics
> that
> > > they pay you \$200 as a token of appreciation of your time. As I
> mentioned
> > > before, Digital Sonics is not obligated to compensate you for your
> > > assistance with the patent formalities. However, under the
> circumstance,
> > I
> > > think I can persuade them to accept this proposal, as long as you fax us
> a
> > > copy of your (and Muto-san's) signed declaration, followed by the
> original

> > > copy by mail promptly to my office. We can file the faxed copy today,
> and
> > > refile the original without penalty another day.
> > >
> > > It should not take you more than 2 hours to review the patent
> application
> > > and the declaration. And we can file the declaration any time before
> > > midnight today to be timely.
> > >
> > > If my proposal is acceptable to you, please let me know immediately, so
> > that
> > > I can run this by Digital Sonics.
> > >
> > > I look forward to your early reply.
> > >

> > > Regards,

> > >

> > > Wen Liu

> > >

> > >

> > >

> > >

> > > LIU & LIU

> > > Attorneys at Law

> > > The Fine Arts Building; Suite 1100

> > > 811 West Seventh Street

> > > Los Angeles, CA 90017

> > > Tel: (213) 830-5743

> > > Fax: (213) 830-5741

> > > email: wliu@liulaw.com

> > > www.liulaw.com

> > >

> > >

> > > =====

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> error,

> > > please notify me by reply e-mail wliu@liulaw.com and delete this
> > message.

> > > Thank you very much.

> > > =====

> > >

> > >

> > > -----Original Message-----

> > > From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]

> > > Sent: Thursday, January 16, 2003 2:06 PM

> > > To: wliu@liulaw.com

> > > Subject: Re: Digital Sonic Patent Application No. 10/056,860

> > >
> > > Dear Mr. Liu,
> > >
> > > I have just come back from the overseas and need more time to review.
> > > (This is the another reason I have suggested before that you agree to
> use
> > my
> > > attorney at Digital Sonic account, in order to save
> > > time. Since Digital Sonic has not agreed to bear the attorney's fee, I
> > have
> > > to review it by myself.)
> > >
> > > I will review this at my earliest convenience. But, please bear in mind
> > that
> > > I have so many other things to do before this review,
> > > due to my long stay in overseas.
> > >
> > > Best regards,
> > > M. Yanagawa
> > >
> > >
> > > ----- Original Message -----
> > > From: "Wen Liu" <wliu@liulaw.com>
> > > To: "Mayuki Yanagawa" <Arte-Bella@msn.com>
> > > Sent: Wednesday, January 15, 2003 2:03 PM
> > > Subject: RE: Digital Sonic Patent Application No. 10/056,860
> > >
> > >
> > > > Dear Yanagawa-san and Muto-san,
> > > >
> > > > I would appreciate your definitive response with respect to the
> inventor
> > > > declaration. Have you returned or are you planning on returning a
> fully
> > > > executed inventor declaration to us by January 13, 2003?
> > > >
> > > > If for whatever reasons you decided not to cooperate with Digital
> Sonics
> > > to
> > > > execute the inventor declaration, I would appreciate at least a
> > definitive
> > > > response from you.
> > > >
> > > > However, in the absence of your response by January 16, 2003, we have
> no
> > > > choice but to treat your non-response to constitute your refusal to
> > > > cooperate.
> > > >
> > > > Regards,
> > > >
> > > > Wen Liu
> > > >

>>>>

>>>> LIU & LIU

>>>> Attorneys at Law

>>>> The Fine Arts Building; Suite 1100

>>>> 811 West Seventh Street

>>>> Los Angeles, CA 90017

>>>> Tel: (213) 830-5743

>>>> Fax: (213) 830-5741

>>>> email: wliu@liulaw.com

>>>> www.liulaw.com

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>>>> please notify me by reply e-mail wliu@liulaw.com and delete this
>> message.

>>>> Thank you very much.

>>>> =====

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>>>> -----Original Message-----

>>>> From: Wen Liu [mailto:wliu@liulaw.com]

>>>> Sent: Monday, January 13, 2003 4:33 PM

>>>> To: Mayuki Yanagawa

>>>> Subject: Digital Sonic Patent Application No. 10/056,860

>>>> Importance: High

>>>>

>>>>

>>>> Dear Yanagawa-san,

>>>>

>>>> Further to our exchange of emails last week, we have not yet received

>> your

>>>> signed inventor declaration. Please confirm whether you have already
>> sent

>>>> that to us, and if you have not, whether you are planning to do so.

>>>>

>>>> As I indicated before, in light of time constraint, if you could please

>> fax

>>>> us the signed document, with the original in the mail.

>>>>

>>>> I appreciate your cooperations.

>>>>

>>>> Regards,

>>>>

>>>> Wen Liu

>>>>

>>>>
>>>> LIU & LIU
>>>> Attorneys at Law
>>>> The Fine Arts Building; Suite 1100
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>>>> Los Angeles, CA 90017
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>>>> please notify me by reply e-mail wliu@liulaw.com and delete this
>> message.

>>>> Thank you very much.

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EXHIBIT G

Wen Liu

From: Wen Liu [wliu@liulaw.com]
Sent: Friday, February 14, 2003 12:00 PM
To: Arte Bella Inc.
Subject: RE: AN OPTION - Digital Sonic Patent Application No. 10/056,860

Importance: High

Dear Yanagawa-san and Muto-san:

The extended deadline is now February 18, 2002. We really do not have much time before the deadline to respond to the patent office.

Please bear in mind that a further extension was necessary simply to accommodate your earlier indication about a month ago that you will review the documents instead of your attorney. We first contacted you many months ago, but despite your continuing obligations to DS under your assignment, you have not allocated sufficient resources to meet your obligations.

Based on your reaction to my earlier proposal, I am discouraged to consider reinstating my previous offer to reimburse your attorney expenses. I do not wish to be wrongly accused of being unreasonable with respect to deadlines (we are working against a time constraint set by the patent office), or bargain hunting (when DS is already going out of its way to allocate additional resources to accommodate you to resolve the situation). Frankly any action at this point, by your attorney and yourselves, would be under extreme time constraints, if you have not yet started to review the documents.

To move forward at this point, it would require your immediate attention and focus on the review of the documents. If you and your attorney cannot allocate the time in the next few days to complete the review, please let me know now so I do not have to wait again to the last minute, just to hear from you that you need more time. There is no more time!

Despite what had transpired (and not knowing whether you will be able to deploy your attorney at this late stage), I want to make a last effort in good faith to offer to reimburse you, based on the following conditions:

1. Digital Sonics will reimburse you for up to \$300 in attorneys fees, despite the fact that Digital Sonics does not have an obligation per your earlier assignment. You cannot expect that Digital Sonics will reimburse your legal fees in the future.

AND

2. You shall review the patent application and declaration (the attorney's review is not sufficient), and fax to my office the duly executed declaration bearing the signatures of you and Muto-san, by noon on Tuesday 2/18/03; followed by the original copy by mail to our office. To facilitate your review, I can send you a redlined copy showing the comparison of the current CIP application and your original disclosure in the parent application. Please keep in mind that the patent rules require that you and Muto-san, as inventors, personally review the patent application before both of you can sign the declaration. Your attorney can only review the application for

purpose of advising you of your legal rights (hence I believe it would not be more than one-hour of his/her time), but not to review and sign the declaration on your behalf. You and Muto-san must still review the technical disclosure in the patent application.

Whether you find this proposal reasonable, or you have an excuse that you and your attorney cannot allocate time to review the document is irrelevant at this point. We will take your inaction or non-response as your final refusal to comply with your obligations, and we will proceed with the patent office accordingly within the remaining time. Given what had transpired, I believe we can easily convince the patent office of the situation to allow us to move forward with the patent application with your execution of the application papers.

I look forward to your favorable reply.

Regards,

Wen Liu

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Thank you very much.
=====

-----Original Message-----
From: Arte Bella Inc. [mailto:Arte-Bella@msn.com]
Sent: Thursday, February 13, 2003 3:08 PM
To: wliu@liulaw.com
Subject: Re: AN OPTION - Digital Sonic Patent Application No. 10/056,860

Dear Mr. Liu,

After our only few days stay in LA, we are again out of USA and do not carry any pertinent document for checking. (Please note that the pertinent information is very bulky.)

We are extremely busy now on the current project, as I told you before.

Since this project lasts until end of August this year (I hope), I again request you to use my attorney at Digital Sonics' expense if you need our checking immediately.

As I told you before, I will sign the documents if my attorney checks your document and agrees to sign.

Please confirm your acceptance to my request above, so that I will instruct my attorney to contact you direct.

Regards,
M. Yanagawa

----- Original Message -----

From: "Wen Liu" <wliu@liulaw.com>

To: "Arte Bella Inc." <Arte-Bella@msn.com>

Sent: Tuesday, February 11, 2003 8:55 AM

Subject: RE: AN OPTION - Digital Sonic Patent Application No. 10/056,860

> Dear Yanagawa-san and Muto-san:

>

> Further to our last email exchanges over three weeks ago, have you completed
> your review of the patent application and the formal document?

>

> Regards,

>

> Wen Liu

>

>

> LIU & LIU

> Attorneys at Law

> The Fine Arts Building; Suite 1100

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> Los Angeles, CA 90017

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